

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DX/DY VOICE PROCESSING, INC.,  
an Arizona corporation,

Plaintiff,

v.

TELIGENCE CORPORATION, a  
British Columbia corporation;  
TELIGENCE (CANADA) LTD., a  
British Columbia corporation;  
TELIGENCE (US), INC., a  
Nevada corporation; TELIGENCE  
HOLDINGS INC., a Nevada  
corporation; ROBERT J.  
MADIGAN, a citizen of Canada;  
JOHN MADIGAN, a citizen of  
Canada; FIRST MEDIA GROUP,  
INC., a Canadian corporation;  
FIRST MEDIA GROUP LLC, a  
Delaware corporation; and  
JOHN DOES 1-100;

Defendants.

TELIGENCE (CANADA) LTD., a  
British Columbia corporation,  
and TELIGENCE (US), INC., a  
Nevada corporation,

Counterclaim Plaintiffs,

v.

DX/DY VOICE PROCESSING, INC.,  
an Arizona corporation, and  
JEFFREY SMITH, an individual,

Counterclaim Defendants.

NO. CV-07-0059-EFS

**ORDER GRANTING DEFENDANTS'  
MOTION TO FILE A SUR-REPLY**

1 Before the Court, without oral argument, is Teligence Defendants'  
2 Motion to File a Sur-Reply in Opposition to Dx/Dy's Motion for Summary  
3 Judgment of Infringement. (Ct. Rec. 245.) Teligence Defendants seek to  
4 file a five (5) page sur-reply to address critical arguments that  
5 Plaintiff Dx/Dy Voice Processing, Inc. raised for the first time in its  
6 reply. After review, the Court finds good cause exists to grant  
7 Teligence Defendants' motion.

8 Accordingly, **IT IS HEREBY ORDERED:** Teligence Defendants' Motion to  
9 File a Sur-Reply in Opposition to Dx/Dy's Motion for Summary Judgment of  
10 Infringement **(Ct. Rec. 245)** is **GRANTED**. Teligence Defendants' Sur-Reply  
11 in Opposition to Dx/Dy's Motion for Summary Judgment of Infringement  
12 (Ct. Rec. 247), filed August 7, 2008, is **ACCEPTED**.

13 **IT IS SO ORDERED.** The District Court Executive is directed to enter  
14 this Order and to provide copies to counsel.

15 **DATED** this 8<sup>th</sup> day of August 2008.

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17 S/ Edward F. Shea  
18 EDWARD F. SHEA  
United States District Judge  
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